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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,036	08/07/2001	David S. Puente	CY-Y0081	1462

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EXAMINER	
YIMAM, HARUN M	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/924,036	PUENTE ET AL.	
	Examiner	Art Unit	
	Harun M. Yimam	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (US 5,991,306) and in view of Lumley (US 6,588,013).

Considering claim 1, Burns discloses a streaming media publishing system (figure 2) comprising: a content processing center (content server—52 in figures 2) for processing the media content (column 5, line 66 – column 6, line 7 and column 9, line 35-48) to generate a streaming media presentation comprising integrated static HTML pages (since the content server multicasts HTML pages, it inherently generates the HTML pages—column 6, lines 1-7) and encoded video, audio, (the media content has to inherently be formatted/encoded for suitable transmission) and metadata (hyperlinks for hypermedia document to various data items, such as video and audio—column 6, lines 1-7 and column 9, lines 42-50); a satellite for transmitting the streaming media presentation (54 in figure 1 and column 6, lines 22-25); a cache server (72 figure 2) for receiving and storing the transmitted streaming media presentation (column 6, lines 56-65); client personal computers (58 and 60 in figure 2) coupled to the cache server

comprising browser software for accessing the streaming media presentation stored on the cache server and displaying the streaming media presentation (column 6, lines 48-55).

Burns further discloses that the processing center (52 in figure 6) serves content in the form of video, audio, and text (column 5, line 66 – column 6, line 1). However, Burns fails to specifically disclose a particular source for the media content.

In analogous art, Lumley discloses a source of media content (14 in figure 1 and column 4, line 66 – column 5, line 18) comprising video, audio, and textual content (column 5, lines 34-35) for distributing various promotional materials to multiple users (column 5, lines 19-35).

It would have been obvious to one of ordinary skill in the art to modify Burns' system to include a source of media content, as taught by Lumley, for the benefit of distributing various promotional materials to multiple users (column 5, lines 19-35).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (US 5,991,306) in view of Lumley (US 6,588,013) as applied to claim 1 above, and further in view of Omoigui (US 2005/0076378).

As for claim 2, Burns and Lumley disclose a streaming media publishing system.

Burns and Lumley fail to disclose that the streaming media presentation is searchable using the metadata integrated with the video and audio.

In analogous art, Omoigui discloses that the streaming media presentation (paragraph 19, lines 1-7) is searchable using the metadata (descriptive presentation information) integrated with the video and audio (paragraph 22, lines 1-7) for the benefit of searching for a particular media presentation (paragraph 22, lines 5-7).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Burns and Lumley to include searchable streaming media presentation using metadata, as taught by Omoigui, for the benefit of searching for a particular media presentation (paragraph 22, lines 5-7).

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (US 5,991,306) in view of Nagai (US 6,795,092).

With regards to claim 3, Burns discloses a streaming media publishing method (figure 2) comprising the steps of: selectively processing graphics and text associated with a streaming media presentation to create a dynamic hypertext markup language (HTML) page (column 5, line 66 – column 6, line 7) corresponding thereto; processing video and audio (column 5, line 66 – column 6, line 1) to extract metadata associated with the presentation (hyperlinks for hypermedia document to various data items, such as video and audio—column 6, lines 1-7 and column 9, lines 42-50); encoding the video, audio, and metadata in a predetermined format (the media content has to inherently be formatted/encoded for suitable transmission); integrating static HTML

page with encoded video, audio, and metadata (since the content server multicasts HTML pages: web pages, that links text, audio, and video, and the media content has to inherently be formatted/encoded for suitable transmission, the HTML page is inherently integrated with the streaming media before multicasting—column 5, line 66 – column 6, line 7); transmitting the streaming media presentation comprising the integrated static HTML page and encoded video, audio, and metadata to a remotely located cache server where it is stored (column 6, lines 22-25 and 56-65); accessing and viewing the streaming media presentation using web browser software disposed on a personal computer coupled to the cache server (column 6, lines 1-7 and 48-65).

Burns fails to disclose converting the dynamic HTML page into a static HTML page.

In analogous art, Nagai discloses converting the dynamic HTML page into a static HTML page for the benefit of generating a static digest/summary of a multimedia from a plurality of media data (column 6, lines 39-43 and column 7, lines 50-52).

It would have been obvious to one of ordinary skill in the art to modify Burns' method to include converting the dynamic HTML page into a static HTML page, as taught by Nagai, for the benefit of generating a static digest/summary of a multimedia from a plurality of media data (column 6, lines 39-43 and column 7, lines 50-52).

Regarding claim 4, Burns and Nagai meet the claimed limitation. In particular, Burns discloses that streaming media presentation is transmitted over a satellite link (54 in figure 1 and column 6, lines 22-25).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (US 5,991,306) in view of Nagai (US 6,795,092) as applied to claim 3 above, and further in view of Omoigui (US 2005/0076378).

As for claim 5, Burns and Nagai disclose a streaming media publishing system.

Burns and Nagai fail to disclose that the streaming media presentation is searchable using the metadata integrated with the video and audio.

In analogous art, Omoigui discloses that the streaming media presentation (paragraph 19, lines 1-7) is searchable using the metadata (descriptive presentation information) for the benefit of searching for a particular media presentation (paragraph 22, lines 5-7).

It would have been obvious to one of ordinary skill in the art to modify the combined method of Burns and Nagai to include searchable streaming media presentation using metadata, as taught by Omoigui, for the benefit of searching for a particular media presentation (paragraph 22, lines 5-7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 571-272-7260. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HMY

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